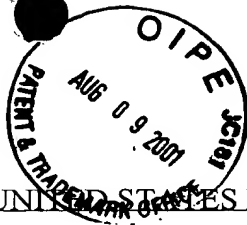


192403US55X



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

RECEIVED  
AUG 14 2001  
TECHNOLOGY CENTER R3700

#6  
8/14/01  
P1104d

IN RE APPLICATION OF :  
David SUDA, et al. : EXAMINER: HARMON, C.  
SERIAL NO: 09/584,182 :  
FILED: May 31, 2000 : GROUP ART UNIT: 3721  
FOR: APPARATUS AND METHOD :  
FOR BAGGING AN ITEM :

RESPONSE TO RESTRICTION REQUIREMENT

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

In response to the restriction requirement dated July 9, 2001, the Applicants elect with traverse the invention of Group II and identifies Claims 9-19 as readable on the elected invention.

The Applicants respectfully traverse the restriction requirement for the reason set forth below.

MPEP § 803 states:

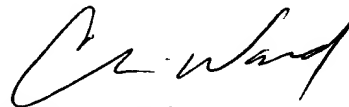
... If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area. Accordingly, the Applicants respectfully traverse the outstanding restriction requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.

Therefore, it is respectfully requested that the requirement to elect a single group of claims be withdrawn, and that a full examination on the merits of Claims 1-19 be conducted.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



Gregory J. Maier  
Registration No. 25,599  
Attorney of Record  
Christopher D. Ward  
Registration No. 41,367



**22850**

Tel. (703) 413-3000  
Fax. (703) 413-2220  
(OSMMN 11/98)

JPL/CDW/brf

I:\atty\cdw\225215\192403\election.wpd